

Remarks

Applicant expresses appreciation to the Examiner for consideration of the subject patent application, and for the telephonic interview granted June 19, 2003 between the Examiner and Cliff Thompson. This amendment is in response to the Office Action mailed March 18, 2003, and the subsequent Advisory Action mailed June 3, 2003. Claims 1-3, 6, 8, 10, 14-16, 21 and 22 were rejected in the Office Action. The Advisory Action indicated that the claims still read upon the prior art.

Claims 1-26 were originally presented. Claims 1-3, 6, 8, 10, 14-16, 21 and 22 remain in the application. Claim 27 has been added. Support for newly added claim 27 can be found on at least page 38 of the specification.

In the telephonic interview conducted June 19, 2003, Applicant's representative, Cliff Thompson, and the Examiner discussed the pending claims in light of limitations in the claims of rotors having "substantially the same diameters." The Examiner indicated that this limitation in the claims, introduced in Applicant's response of December 24, 2002, rendered the claims indefinite and was not disclosed or described in the specification as filed.

In Applicant's response of May 19, 2003, Applicant indicated that the phrase "substantially the same," as known to those skilled in the art, indicates "that which is largely, but not wholly, that which is specified." Applicant further stipulated that in the present case, "upper and lower rotors having substantially the same diameters" includes upper and lower rotors having diameters that differ by no more than 10%.

Applicant respectfully submits that support for this limitation is found in at least FIGs. 15, 16 and 17. Close examination of the rotors illustrated in FIGs. 16 and 17 reveals that the rotor diameters differ by at least 5% in length, in relation to the overall length illustrated in FIG. 15. Thus, support for the limitation of rotors having diameters of substantially the same length is found in the disclosure as originally filed, and therefore finds support in the specification. Examples of rotors having diameters of exactly the same size, as well as an example where they differ by a small amount, are disclosed. The stipulation of 10% variance was only offered to address the concern raised by the Examiner, and Applicant would be appreciative of suggestions

of alternate ways to address the concern while maintain the claim scope to which Applicant is entitled.

Conclusion

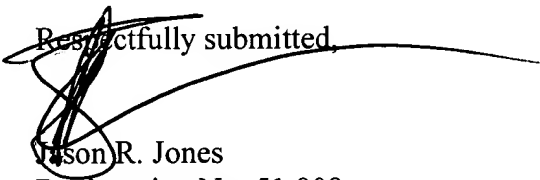
In light of the above, Applicant respectfully submits that pending claims 1-3, 6, 8, 10, 14-16, 22 and 27 are in condition for allowance. Therefore, Applicant requests that the rejections and objections be reconsidered, and that they be withdrawn and the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment which would be amenable to resolution by telephone conference, the Examiner is encouraged to call Clifton W. Thompson or Jason R. Jones at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

Check No. 17415, in the amount of \$439.00, is enclosed pursuant to 37 C.F.R. § 1.17(a)(1), for i) a one month extension of time pursuant to 37 C.F.R. § 1.136; ii) a Request for Continued Examination pursuant to 37 C.F.R. §§ 1.114 and 1.17(e); and iii) the addition of dependent claim 27, pursuant to 37 C.F.R. 1.16(c).

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 18TH day of July, 2003.

Respectfully submitted,


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